

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450



Atty. Dkt.: 117-476

Date: September 24, 2003

Sir:

Attached for filing is the patent application of:

Inventor: COFFIN et al

Entitled: MUTANT HERPES SIMPLEX VIRUSES AND USES THEREOF

and including attachments as noted below:

- ☐ Newly executed Declaration, ☒ Copy of Declaration from prior application, ☐ Abstract  
☐ Please **delete** the following inventors in the continuation/division/continuation-in-part application:

**Deleted persons:**

25 pages of specification and claims (including 33 numbered claims), and  
 sheets of accompanying drawing/s.

☐ Record the attached assignment to \_\_\_\_\_, \_\_\_\_\_ and return to the undersigned.

☐ Attached is a Power of Attorney.

☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
9810904.4	Great Britain	20 May 1998
PCT/GB99/01598		20 May 1999

, respectively, the entire content of which is hereby incorporated by reference in this application..

☐ Certified copy(ies) of foreign application(s) is/are attached.

☒ Certified copy(ies) filed on 29 June 1999 in prior appln. no. PCT/GB99/01598 filed 20 May 1999

☐ This application claims the benefit of Provisional Application No. \_\_\_\_\_, filed \_\_\_\_\_, the entire content of which is hereby incorporated by reference in this application.

☒ This application is a ☒ continuation/☐ division/☐ continuation-in-part of Application No. 09/700,763, filed January 26, 2001, which is a 371 of PCT/GB99/01598, filed May 20, 1999, the entire content of which is hereby incorporated by reference in this application.

☒ Petition filed in prior application to extend its life to insure co-pendency.

☒ The prior application is assigned to BIOVEX LIMITED, London, United Kingdom.

☒ It is hereby requested that the Examiner consider the art cited in the parent application by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached.

☒ Applicant claims "small entity" status. ☐ "Small entity" statement attached.

☒ Please enter the attached and/or below preliminary amendment **prior** to calculation of filing fee:

☐ Also attached: ☐ Information Disclosure Statement; ☐ Non-Publication Request; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☐ Other:

**FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED**

Basic Filing Fee		\$	750.00
Total effective claims	36 - 20 (at least 20) = 16	x \$ 18.00	\$ 288.00
Independent claims	1 - 3 (at least 3) = 0	x \$ 84.00	\$ 0.00
If any proper multiple dependent claims now added for first time, add \$280.00 (ignore improper)			\$ 280.00
		<b>SUBTOTAL</b>	\$ 1318.00
If "small entity," then enter half (1/2) of subtotal and subtract		-\$	659.00
		<b>SECOND SUBTOTAL</b>	\$ 659.00
Assignment Recording Fee (\$40.00)		\$	0.00
		<b>TOTAL FEE ENCLOSED</b>	\$ 659.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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MJW:tat

**NIXON & VANDERHYE P.C.**

By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson